

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action in view of the foregoing amendments and following remarks.

Claims 1-3, 5-7, 9-23, 25, 26, and 29-38 are now pending, with claims 1, 5, 11, 32, and 37 being independent claims. Claims 4, 8, 24, 27, and 28 have been cancelled without prejudice or disclaimer of subject matter. Claims 1, 5, 9, 11, 29, 32, 35, and 36 have been amended. Support for the amendments can be found throughout the originally-filed disclosure, including, for example, in the originally-filed claims. Thus, Applicants submit that the amendments do not include new matter.

Claims 1, 2, 5, 6, 11, and 20 are rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by Calon et al. (U.S. Patent No. 6,688,753). Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon et al. in view of Vanderschuit (U.S. Patent Application Pub. No. 2004/0264187) and Dowling (U.S. Patent Application Pub. No. 2003/0214259). Claims 12, 14-19, and 21-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon et al. Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon et al. in view of Li (U.S. Patent Application Pub. No. 2003/02233230). Claims 3, 4, 7, 8, 24-29, and 32-38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon et al. in view of Vanderschuit. Claims 30 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon et al. in view of Weng (U.S. Patent No. 6,759,966).

Applicants respectfully traverse the rejections. Nevertheless, without conceding the propriety of the rejections and solely to expedite prosecution, Applicants have amended independent claims 1, 5, 11, and 32 to clarify distinctions between the claimed invention and the cited art. To this end, Applicants submit that the invention recited in amended independent

claims 1, 5, 11, and 32, as well as original independent claim 37, is patentably distinguishable from the cited references for at least the following reasons.

The claimed invention is directed to an electrical lamp or a light bulb that includes, inter alia, a user interface. In independent claims 1 and 5, a programmable circuit is recited to adjust the intensities of light of different colors according to a predetermined program indicated by the user interface. The user interface in independent claim 11 is recited to allow a user to perform at least one of: (i) activating one or more of a plurality of predetermined presentations, and (ii) selecting one or more colors of light to be emitted by a plurality of light emitting diodes. In independent claim 32, the user interface is recited as connected to a programmable processor for instructing the processor to perform a plurality of predetermined presentations of light emission that vary at least one of the color and intensity of light emitted by a plurality of light emitting diodes. Similarly, in independent claim 37, the user interface is recited as controlling the activation, color and intensity of light emitted by a plurality of light emitting diodes. Applicants submit that the cited references, whether taken individually or collectively, do not disclose or suggest these combinations of a user interface and related features.

The Office Action cites Calon et al. as disclosing light source that includes some of the features of the claimed invention, including, a user interface in form of a toggle switch, as disclosed at col. 2, lines 3+ of the reference.

Applicants respectfully traverse the Office Action's equating of the toggle switch disclosed in Calon et al. to a "user interface." There is no indication in Calon et al. that the toggle switch is a structure that a user directly interacts with, that is, there is no indication that the toggle switch is an "interface." Instead, Calon et al. clearly indicates that the toggle switch is part of the internal circuitry of the device by indicating that the toggle switch is part of the

“means for reacting to certain sequence of changes in the voltage,” and, more specifically, that the toggle switch “is responsive to the sequential switching on and off of the voltage.” Col. 1, line 66 through col. 2, lines 5. As the toggle switch does not receive direct input from a user, but rather a voltage, the toggle switch clearly does not fall within a reasonably broad interpretation of the “user interface” recited in the claims of the present application.

Moreover, Applicants submit that Calon et al. teaches away from the idea of providing the device with a user interface. Calon et al. discloses:

The use of the control mechanism in accordance with the invention enables a user of the integrated light source to sequentially change the voltage through the integrated light source by making use of a light switch that is situated at a distance from the light source. This has the advantage that, even if the integrated light source in accordance with the invention is provided in places that are difficult to reach, switching between the different lighting states of the integrated light source can still be carried out in a convenient way.

Col. 1, lines 30-34. Calon et al. also discloses:

An important advantage of the integrated light source in accordance with the invention resides in that the integrated light source is retrofit for an existing lamp, and further adaptations to bring about the switching states of the integrated light source are not necessary. At the location where a normal lamp is provided in a room, this lamp is removed from the luminaire and substituted with the integrated light source in accordance with the invention. The switching possibilities do not require any further adaptation; even the light switch present in the room does not have to be adapted.

Col. 2, lines 28-32 (Emphasis added).

Thus, Calon et al. purposely does not provide the device with a user interface for controlling the device so as to not require further modifications to effectuate switching states in the device. To modify the device of Calon et al. to include a user interface for controlling the

device would run directly counter to the primary advantages purported by the reference, as the device of Calon et al. is specifically designed to be controlled through an ordinary light switch positioned some distance from the device. This clearly evidences that it would not have been obvious to one of ordinary skill in the art to modify the device of Calon et al. to result in a device including the user interface and related features of Applicants' invention recited in independent claims 1, 5, 11, 32, and 37, as such a modification would go against the primary advantages of the configuration of the device noted in the reference. See MPEP § 2143.01 (a modification to a reference cannot render the reference unsatisfactory for its intended purpose or change the principle of operation of the reference).

Applicants submit that the other references cited in the Office Action fail to cure the deficiencies of Calon et al. None of these other references suggests the combination of a user interface and related features, as recited in independent claims 1, 5, 11, 32, and 37. Moreover, as described above, Calon et al. teaches away from the claimed combination of a user interface and related features. Thus, even if the secondary references were taken to suggest some of the features lacking in Calon et al., it still would not have been obvious to one of ordinary skill in the art to modify Calon et al. to include such features as such a modification would go against the direct teachings of Calon et al.

For at least the foregoing reasons, Applicants submit that the references cited in the Office Action, whether taken individually or collectively, fail to disclose or suggest the invention recited in independent claims 1, 5, 11, 32, and 37.

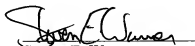
The dependent claims also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in independent

claims 1, 5, 11, 32, and 37. Applicants' request further individual consideration of these dependent claims.

Applicants submit that the present application is in condition for allowance. Applicants' therefore, request favorable reconsideration, withdrawal of the rejections set forth in the Office Action, and a Notice of Allowance.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to the address listed below for S. C. Johnson & Son, Inc.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven E. Warner", is written over a horizontal line.

Steven E. Warner
Attorney for Applicants
Registration No. 33,326

S. C. JOHNSON & SON, INC.
Patent Section, M.S. 077
1525 Howe Street
Racine, Wisconsin 53403

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200